



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

FCP/152148

PRELIMINARY RECITALS

Pursuant to a petition filed September 18, 2013, under Wis. Admin. Code § DHS 10.55, to review a decision by the Racine County Department of Human Services in regard to Medical Assistance, a hearing was held on October 17, 2013, at Racine, Wisconsin.

NOTE: The record was held open to get correspondence concerning the rescission of an August cost share. The e-mail string has been marked as Exhibit 5 and entered into the record.

No issue remains for determination by the Division of Hearings and Appeals.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street
Madison, Wisconsin 53703

By: John Heister, Economic Support Specialist
Racine County Department of Human Services
1717 Taylor Ave
Racine, WI 53403-2497

Dinah Lacase, Family Care Administrator
Sheila Kahn, Case Manager
ANS Home Health Services
1551 S. 108th Street
West Allis, WI 53214

ADMINISTRATIVE LAW JUDGE:
Mayumi M. Ishii
Division of Hearings and Appeals

DISCUSSION

Petitioner filed this appeal to dispute a bill he received for cost shares imposed for the months of February 2013 through August 2013. At the hearing, Racine County reviewed its records and discovered that a processing error occurred when Petitioner's SSI was discontinued and that his housing expense was not properly considered. Racine County indicated that Petitioner should never have had a cost share February 2013 through August 2013 and that it would correct the problem. Petitioner indicated that this resolved the matter to his satisfaction. If I have misunderstood the facts, the parties should note the rehearing instructions at the bottom of this decision.

CONCLUSIONS OF LAW

That there is no issue remaining for resolution by the Division of Hearings and Appeals regarding Petitioner's Family Care benefits at this time.

THEREFORE, it is **ORDERED**

That Racine County correct Petitioner's case as promised, rescinding the cost share imposed February 2013 through August 2013. Racine County shall take all administrative steps necessary to complete this task within ten days of this decision, if it has not already done so.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be served and filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

For purposes of appeal to circuit court, the Respondent in this matter is the Department of Health Services. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson Street, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of
Milwaukee, Wisconsin, this 21st day of
October, 2013.

\sMayumi M. Ishii
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
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Madison, WI 53705-5400

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Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on October 21, 2013.

Racine County Department of Human Services
Office of Family Care Expansion